

exclusive of interest and costs. 28 U.S.C. § 1332(d)(2)(A) (“The district courts shall have original jurisdiction of any civil action in which the matter in controversy exceeds the sum or value of \$5,000,000, exclusive of interest and costs, and is a class action in which . . . any member of a class of plaintiffs is a citizen of a State different from any defendant.”); *see also* 28 U.S.C. § 1453(b).

3. At the time of the Lawsuit’s filing and at the time of removal of this action, Providence Memorial Hospital was and is a citizen of Texas.

4. Plaintiffs seek to certify a “global class” of individuals who were allegedly “exposed, or fear exposure, to the Tuberculosis outbreak that occurred at Providence Memorial Hospital in El Paso, Texas.” (Pet. ¶ 65.) Plaintiffs purport to assert claims on behalf of parents, newborn babies, and siblings as well as “staff persons and employees, patients, family members, vendors, contractors, or other third persons and members of the general public.” (Pet. ¶¶ 65, 67(b), 111) According to Plaintiffs, the “global class” includes “subclasses of Texas and New Mexico residents.” (*Id.*) On the face of the petition, then, at least one member of the putative class is a citizen of a different state (New Mexico) than Providence Memorial Hospital (Texas). *See* 28 U.S.C. § 1332(d)(2)(A).

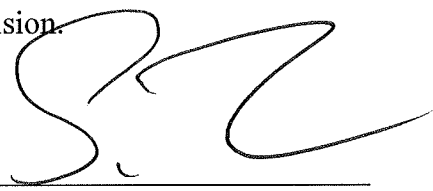
5. Plaintiffs have filed this case as a class action pursuant to Tex. R. Civ. P. 42.

6. The amount in controversy in this Lawsuit exceeds \$5,000,000 exclusive of costs and interests. Plaintiffs state that the damages in this Lawsuit “will likely exceed \$1,500,000,000.00.” Based on this allegation alone—and because the claims of all individual class members are aggregated to determine the amount in controversy, *see* 28 U.S.C. § 1332(d)(6)—the amount in controversy exceeds \$5,000,000. 28 U.S.C. § 1332(d)(2).

7. This Notice of Removal is being filed with the Clerk of the District Court of El Paso County, Texas, and is being served upon counsel for Plaintiffs pursuant to 28 U.S.C. § 1446(d).

WHEREFORE, Defendant Providence Memorial Hospital hereby removes this action from the District Court of El Paso County, Texas, 168th Judicial District, to the United States District Court for the Western District of Texas, El Paso Division.

November 4, 2016

By: 
J. Scott Mann, TBN 24002519
scott.mann@kempsmith.com
KEMP SMITH, LLP
P.O. Box 2800
El Paso, Texas 79999
Telephone: (915) 533-4424
Facsimile: (915) 546-5360

OF COUNSEL:

R. Thaddeus Behrens, TBN 24029440
thad.behrens@haynesboone.com
Taryn McDonald, TBN 24088014
taryn.mcdonald@haynesboone.com
HAYNES AND BOONE, LLP
2323 Victory Avenue, Suite 700
Dallas, Texas 75219
Telephone: (214) 651-5000
Facsimile: (214) 651-5940

**ATTORNEYS FOR DEFENDANT
PROVIDENCE MEMORIAL HOSPITAL**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record via the court's electronic filing system on this 4th day of November, 2016.

A handwritten signature in black ink, appearing to read 'S. Mann', is written over a horizontal line.

J. SCOTT MANN

**Index to Pleadings Filed in *Jessica Melendez-Carrillo, et al. v. Tenet Hospitals Ltd., et al.*,
Cause No. 2016-CV-3485 (168th Jud. Dist., El Paso County, Tex.)**

<u>Ex.</u>	<u>Description</u>
1.	Plaintiffs' Original Petition and Request for Disclosure, filed September 16, 2016
2.	Defendant Tenet Hospitals Limited D/B/A Providence Memorial Hospital's Original Answer and Special Exceptions to Plaintiffs' Original Petition, filed October 31, 2016

11/3/2016

<https://casesearch.epcounty.com/PublicAccess/CaseDetail.aspx?CaseID=7618139>[Skip to Main Content](#) [Logout My Account](#) [Search Menu](#) [New Civil Search](#) [Refine Search](#) [Back](#)[Location : All Courts](#) [Help](#)**REGISTER OF ACTIONS****CASE No. 2016DCV3485**

JESSICA MELENDEZ-CARRILLO, Individually and on behalf of others §
 similarly situated VS TENET HOSPITALS LIMITED D/B/A PROVIDENCE §
 MEMORIAL HOSPITAL, NOW KNOWN AS THE HOSPITALS OF §
 PROVIDENCE, PASO DEL NORTE HEALTH FOUNDATION, and §
 ESPERANZA ESPY MARTINEZ, §

Case Type: **Other Injury or Damage**Date Filed: **09/16/2016**Location: **168th District Court****PARTY INFORMATION**

	Lead Attorneys
Defendant MARTINEZ, ESPERANZA	
Defendant Paso Del Norte Health Foundation	
Defendant Tenet Hospitals Limited	J SCOTT MANN <i>Retained</i> 915-533-4424(W)
Minor Child AGUILAR, JR., ERNESTO	
Minor Child ALONZO, III, LORENZO	
Minor Child ALVARADO, LOGAN	
Minor Child ARANGO, ABBYGAIL	
Minor Child ARANGO, ALYSSA	
Minor Child BARAJAS, IKER K.	
Minor Child BLANCHETTE-SANTIBANEZ, LIAM	
Minor Child BRISENO, SERGIO G.	
Minor Child CARBAJAL, ALEXIS	
Minor Child CARBAJAL, BRANDON	
Minor Child CARRASCO, JEFFREY	
Minor Child CARRILLO, BIANCA S.	
Minor Child CARRILLO, VALENTINA	
Minor Child CASTILLO, AZALEAH YSABELLA	
Minor Child CLEMENTE, ADRIAN	
Minor Child CLEMENTE, VALERIE	
Minor Child CLEMENTE, VICTOR	
Minor Child DAVILA, AVERY	
Minor Child DIAZ, KATELYN SERE	

11/3/2016

<https://casesearch.epcounty.com/PublicAccess/CaseDetail.aspx?CaseID=7618139>

Minor Child EHRLE, KATE

Minor Child EHRLE,JR., EDWARD

Minor Child GARZA, EMMA R.

Minor Child HUGHES, KAYLA

Minor Child ITURRALDE, JR., CALIXTO

Minor Child MACIAS, KATALEAH

Minor Child MARTINEZ, ALEJANDRO ISAIS

Minor Child MENDOZA, DAFNE

Minor Child MENDOZA, KARLA

Minor Child MENDOZA, KARLA

Minor Child MINOR, MILA

Minor Child ORTEGA, EMMANUEL

Minor Child ORTEGA, JAIME

Minor Child ORTIZ, AZIA

Minor Child ORTIZ, JOSE LUIS

Minor Child PALACIOS, EZRA

Minor Child PALACIOS, NOAH

Minor Child PEREZ, MATTHEW A.

Minor Child RANGEL, EMMANUEL C.

Minor Child REYES, CAROLINA

Minor Child REYES, NATALIA O.

Minor Child RIVERA, ALEXANDER

Minor Child TREMILLO, JOSE A.

Minor Child URIBE, ESSAU ADRIAN

Minor Child URIBE, GAEL ANTONIO

Minor Child YEPEZ, AMY E.

Plaintiff ALONZO, ANA

11/3/2016

<https://casesearch.epcounty.com/PublicAccess/CaseDetail.aspx?CaseID=7618139>

Plaintiff ALVARADO, ANA

Plaintiff ALVARADO, JENNIFER

Plaintiff ALVARADO, MARTIN

Plaintiff ARANGO, JAIME

Plaintiff ARANGO, RAQUEL

Plaintiff ARREDONDO, SOCORRO

Plaintiff BARAJAS, MIGUEL

Plaintiff BARRIOS, RAQUEL

Plaintiff BLANCHETTE, AUDREY

Plaintiff BRIENO, MAYRA

Plaintiff BRIENO, SERGIO

Plaintiff CARBAJAL, MARCO

Plaintiff CARRILLO, JESSICA

Plaintiff Carrillo, JESSICA CARRILLO

Plaintiff CARRILLO, MARTIN

Plaintiff CASTILLO, OSWALDO

Plaintiff CLEMENTE, ROBERTO

Plaintiff DELGADO, JAZMIN

Plaintiff EHRLE, EDWARD F.

Plaintiff EHRLE, ROSIE

Plaintiff GARCIA, AMANDA

Plaintiff GARCIA-BRACHO, PRISCILLA

Plaintiff GARCIDUENAS, ESTEFANIA

Plaintiff GARZA, JOSEPH

Plaintiff GONZALEZ, BRENDA

Plaintiff HUGHES, MONICA M.

ENRIQUE CHAVEZ, Jr.
Retained
915-351-7772(W)

11/3/2016

<https://casesearch.epcounty.com/PublicAccess/CaseDetail.aspx?CaseID=7618139>

Plaintiff MACIAS, EDGAR A.

Plaintiff MACIAS, MARIA G.

Plaintiff MAGANA, MARGIE

Plaintiff MARTINEZ, ALEJANDRO

Plaintiff MINOR, RAYMOND

Plaintiff ORTEGA, JAIME

Plaintiff ORTIZ, JOSE

Plaintiff ORTIZ, MICHELLE

Plaintiff PALACIOS, CRYSTAL

Plaintiff PALACIOS, JAIME

Plaintiff PEREZ, ISMAEL

Plaintiff RANGEL, EDGAR

Plaintiff REYES, ADRIANA

Plaintiff REYES, ALFREDO M.

Plaintiff RINCONES, REBECCA J.

Plaintiff RIVERA, JOSE

Plaintiff SANTIBANEZ, NICHOLAS

Plaintiff SARABIA, PAOLA

Plaintiff TREMILLO, EDGAR

Plaintiff URIBE, JESUS A.

Plaintiff URIBE, MARTHA A.

Plaintiff VILLAREAL, ELIZABETH

Plaintiff YEPEZ, DINA

Plaintiff YEPEZ, ISMAEL

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS

09/16/2016 **Original Petition (OCA)** **Doc ID# 1**

09/16/2016 **Case Information Sheet** **Doc ID# 2**

09/16/2016 **E-File Event Original Filing**

09/22/2016 **Citation**

Tenet Hospitals Limited	Unserved
Paso Del Norte Health Foundation	Unserved
MARTINEZ, ESPERANZA	Unserved

11/3/2016

<https://casesearch.epcounty.com/PublicAccess/CaseDetail.aspx?CaseID=7618139>

10/31/2016 | **Answer** **Doc ID# 3**

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jessica Melendez-Carrillo, individually and on behalf of others similarly situated (see Ex. A for list of additional plaintiffs)

(b) County of Residence of First Listed Plaintiff El Paso
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Enrique Chavez, Jr., Chavez Law Firm, 2101 N. Stanton St., El Paso, TX 79902, (915) 351-7772

DEFENDANTS

Tenet Hospitals Limited d/b/a Providence Memorial Hospital now known as the Hospitals of Providence; Paso Del Norte Foundation; Esperanza Martinez

County of Residence of First Listed Defendant Dallas
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

J. Scott Mann, Kemp Smith, LLP, P.O. Box 2800, El Paso, TX 79999, (915) 533-4424

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|-----------------------------------------|---------------------------------------|----------------------------|---------------------------------------------------------------|----------------------------|---------------------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input checked="" type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332(d)(2)

Brief description of cause:
Class action medical malpractice

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
1,500,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

None

(See instructions):

JUDGE

DOCKET NUMBER

DATE
11/04/2016

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Exhibit A – Additional Plaintiffs

Ernesto Aguilar Jr.
Ana Alonzo
Lorenzo Alonzo III
Logan Alvarado
Ana Alvarado
Jennifer Alvarado
Martin Alvarado
Abbygail Arango
Alyssa Arango
Jaime Arango
Raquel Arango
Socorro Arredondo
Iker K. Barajas
Miguel Barajas
Raquel Barrios
Audrey Blanchette
Liam Blanchette-Santibanez
Sergio G. Briseno
Mayra Briseno
Sergio Briseno
Alexis Carbajal
Brandon Carbajal
Marco Carbajal
Jeffrey Carrasco
Bianca S. Carrillo
Valentina Carrillo
Jessica Carrillo
Martin Carrillo
Azaleah Ysabella Castillo
Oswaldo Castillo
Adrian Clemente
Valerie Clemente
Victor Clemente
Roberto Clemente
Avery Davila
Jazmin Delgado
Katelyn Sere Diaz
Kate Ehrle
Edward F. Ehrle
Rosie Ehrle
Edward Ehrle Jr.
Amanda Garcia
Priscilla Garcia-Bracho
Estefania Garciduenas
Emma R. Garza
Joseph Garza
Brenda Gonzalez
Kayla Hughes

Exhibit A – Additional Plaintiffs

Monica M. Hughes
Calixto Iturralde Jr.
Kataleah Macias
Edgar A. Macias
Maria G. Macias
Margie Magana
Alejandro Isais Martinez
Alejandro Martinez
Dafne Mendoza
Karla Mendoza
Mila Minor
Raymond Minor
Emmanuel Ortega
Jaime Ortega
Jaime Ortega
Azia Ortiz
Jose Luis Ortiz
Jose Ortiz
Michelle Ortiz
Ezra Palacios
Noah Palacios
Crystal Palacios
Jaime Palacios
Matthew A. Perez
Ismael Perez
Emmanuel C. Rangel
Edgar Rangel
Carolina Reyes
Natalia O. Reyes
Adriana Reyes
Alfredo M. Reyes
Rebecca J. Rincones
Alexander Rivera
Jose Rivera
Nicholas Santibanez
Paola Sarabia
Jose A. Tremillo
Edgar Tremillo
Essau Adrian Uribe
Gael Antonio Uribe
Jesus A. Uribe
Martha A. Uribe
Elizabeth Villareal
Amy E. Yepez
Dina Yepez
Ismael Yepez

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

Supplement to JS 44 Civil Cover Sheet
Cases Removed from State District Court

This form must be filed with the Clerk's Office no later than the **first business day** following the filing of the Notice of Removal. Additional sheets may be used as necessary.

The attorney of record for the removing party **MUST** sign this form.

STATE COURT INFORMATION:

1. Please identify the court from which the case is being removed; the case number; and the complete style of the case.

168th Judicial District Court of El Paso County, Texas; Cause No. 2016-CV-3485; Jessica Melendez-Carrillo, Individually and on Behalf of Others Similarly Situated v. Tenet Hospitals Limited d/b/a Providence Memorial Hospital, Now Known as the Hospitals of Providence, Paso Del Norte Health Foundation, and Esperanza "Espy" Martinez

2. Was jury demand made in State Court? Yes ☒ No ☐

If yes, by which party and on what date?

Jessica Melendez-Carrillo

Party Name

September 16, 2016

Date

STATE COURT INFORMATION:

1. List all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

Plaintiffs: Jessica Melendez-Carrillo (as class representative, see attached page for other plaintiffs) - represented by Enrique Chavez Jr., Chavez Law Firm, 2101 N. Stanton St., El Paso, TX 79902, (915) 351-7772 (t), (915) 351-7773 (f)

Defendants: (1) Tenet Hospitals Limited d/b/a Providence Memorial Hospital - represented by J. Scott Mann, Kemp Smith, LLP, P.O. Box 2800, El Paso, TX 79999, (915) 533-4424 (t), (915) 546-5360 (f)

(2) Paso Del Norte Health Foundation

(3) Esperanza Martinez - representation same as above - represented by J. Scott Mann, Kemp Smith, LLP, P.O. Box 2800, El Paso, TX 79999, (915) 533-4424 (t), (915) 546-5360 (f)

2. List all parties that have not been served at the time of the removal, and the reason(s) for non-service.

N/A

3. List all parties that have been non-suited, dismissed, or terminated, and the reason(s) for their removal from the case.

N/A

COUNTERCLAIMS, CROSS-CLAIMS, and/or THIRD-PARTY CLAIMS:

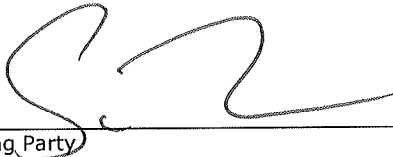
1. List separately each counterclaim, cross-claim, or third-party claim still remaining in the case and designate the nature of each such claim. For each counterclaim, cross-claim, or third-party claim, include all plaintiffs, defendants, and intervenors still remaining in the case. Also, please list the attorney(s) of record for each party named and include the attorney's firm name, correct mailing address, telephone number, and fax number (including area codes).

N/A

VERIFICATION:

J. Scott Mann

Attorney for Removing Party



November 4, 2016

Date

Tenet Hospitals Limited d/b/a Providence Memorial Hospital

Party/Parties

Exhibit A – Additional Plaintiffs

Ernesto Aguilar Jr.
Ana Alonzo
Lorenzo Alonzo III
Logan Alvarado
Ana Alvarado
Jennifer Alvarado
Martin Alvarado
Abbygail Arango
Alyssa Arango
Jaime Arango
Raquel Arango
Socorro Arredondo
Iker K. Barajas
Miguel Barajas
Raquel Barrios
Audrey Blanchette
Liam Blanchette-Santibanez
Sergio G. Briseno
Mayra Briseno
Sergio Briseno
Alexis Carbajal
Brandon Carbajal
Marco Carbajal
Jeffrey Carrasco
Bianca S. Carrillo
Valentina Carrillo
Jessica Carrillo
Martin Carrillo
Azaleah Ysabella Castillo
Oswaldo Castillo
Adrian Clemente
Valerie Clemente
Victor Clemente
Roberto Clemente
Avery Davila
Jazmin Delgado
Katelyn Sere Diaz
Kate Ehrle
Edward F. Ehrle
Rosie Ehrle
Edward Ehrle Jr.
Amanda Garcia
Priscilla Garcia-Bracho
Estefania Garciduenas
Emma R. Garza
Joseph Garza
Brenda Gonzalez
Kayla Hughes

Exhibit A – Additional Plaintiffs

Monica M. Hughes
Calixto Iturralde Jr.
Kataleah Macias
Edgar A. Macias
Maria G. Macias
Margie Magana
Alejandro Isais Martinez
Alejandro Martinez
Dafne Mendoza
Karla Mendoza
Mila Minor
Raymond Minor
Emmanuel Ortega
Jaime Ortega
Jaime Ortega
Azia Ortiz
Jose Luis Ortiz
Jose Ortiz
Michelle Ortiz
Ezra Palacios
Noah Palacios
Crystal Palacios
Jaime Palacios
Matthew A. Perez
Ismael Perez
Emmanuel C. Rangel
Edgar Rangel
Carolina Reyes
Natalia O. Reyes
Adriana Reyes
Alfredo M. Reyes
Rebecca J. Rincones
Alexander Rivera
Jose Rivera
Nicholas Santibanez
Paola Sarabia
Jose A. Tremillo
Edgar Tremillo
Essau Adrian Uribe
Gael Antonio Uribe
Jesus A. Uribe
Martha A. Uribe
Elizabeth Villareal
Amy E. Yepez
Dina Yepez
Ismael Yepez